

## REMARKS

This amendment and these remarks are responsive to the non-final Office action dated December 1, 2004, and are being submitted under 37 C.F.R. § 1.111. Claims 1-21 are pending in the application. In the Office action, the Examiner (1) objected to claims 4, 6-8, 10-12, and 15-21 (as being dependent upon a rejected based claim), and (2) rejected claims 1-3, 5, 9, 13, and 14 under 35 U.S.C. § 102(b) or § 103(a) (as being anticipated by, and/or obvious over, various U.S. patents). Applicants traverse the rejections, contending that rejected claims 1-3, 5, 9, 13, and 14 are neither anticipated nor obvious. Nevertheless, to expedite the issuance of a patent, and to more particularly point out and distinctly claim aspects of the invention that applicants would like to patent now, applicants have (1) canceled claim 13 without prejudice, (2) amended claims 1, 6, 14, and 16, and (3) added new claims 77-132. Furthermore, applicants have presented arguments showing that each of the pending claims is allowable. Accordingly, applicants respectfully request reconsideration of the rejected claims, and prompt issuance of a Notice of Allowability covering all of the pending claims.

### *I. Claims 1-12*

The Examiner rejected independent claim 1 as being anticipated by U.S. Patent No. 4,048,259 to Wegemund et al. under 35 U.S.C. § 102(b) or obvious over Wegemund under 35 U.S.C. § 103(a). Applicants traverse these rejections. Nevertheless, to expedite the issuance of a patent, and to more particularly point out

and distinctly claim aspects of the invention that applicants would like to patent now, applicants have amended claim 1 as follows:

1. (Currently amended) A coating composition that is curable in air to a protective film, comprising an alkyd ~~a binder~~ and a reactive diluent that comprises one or more carboxylic acids with the formula  $R^1-(C=O)-OH$ , where  $R^1$  has 8 to 35 carbons and includes an ester linkage.

Claim 6 also has been amended to address a formal issue created by amendment of claim 1.

Wegemund does not teach or suggest a coating composition comprising an alkyd, as required by amended claim 1. Therefore, claim 1 should be allowed. Claims 2-12, which depend from claim 1, also should be allowed, for at least the same reasons as claim 1.

## *II. Claims 14-21*

The Examiner rejected independent claim 14 as being anticipated by U.S. Patent No. 4,311,624 to Emmons et al. under 35 U.S.C. § 102(b) or obvious over Emmons under 35 U.S.C. § 103(a). Applicants traverse these rejections. Nevertheless, to expedite the issuance of a patent, and to more particularly point out and distinctly claim aspects of the invention that applicants would like to patent now, applicants have amended claim 14 as follows:

14. (Currently amended) A coating composition that is curable to a protective film, comprising an alkyd, an acrylic resin, and a coupling agent that includes titanium or zirconium.

Claim 16 also has been amended to address a formal issue created by amendment of claim 14.

Emmons does not teach or suggest a coating composition comprising a coupling agent that includes titanium or zirconium (or both), as required by amended claim 14.

Therefore, claim 14 should be allowed. Claims 15-21, which depend from claim 14, also should be allowed, for at least the same reasons as claim 14.

### **III. Claims 77-132**

The current communication adds new claims 77-132. Each of these new claims is based on an original claim(s) as shown in the following table:

<b>New Claim</b>	<b>Original Claim(s)</b>
77 (Independent)	1 + 3 + 4
78	2
79	5
80	6
81	7
82	8
83	9
84	10
85	11
86	12
87 (Independent)	1 + 8
88	2
89	3
90	5
91	6
92	7
93	9
94	10
95	11
96	12
97 (Independent)	1 ( <i>partial</i> ) + 10
98	(1 ( <i>partial</i> )) + 2
99	(1) + 3
100	(1 + 3) + 4
101	(1) + 5
102	(1 ( <i>partial</i> )) + 6
103	(1 ( <i>partial</i> )) + 7
104	(1 ( <i>partial</i> )) + 8
105	(1 ( <i>partial</i> )) + 9
106	(1 ( <i>partial</i> )) + 11
107	(1 ( <i>partial</i> )) + 12
108 (Independent)	14 + 15
109	16
110	17

New Claim	Original Claim(s)
111	18
112	19
113	20
114	21
115 (Independent)	14 + 17
116	15
117	16
118	18
119	19
120	20
121	21
122 (Independent)	14 + 18
123	15
124	16
125	17
126	19
127	20
128	21
129 (Independent)	14 + 19
130	16
131	17
132 (Independent)	14 + 21

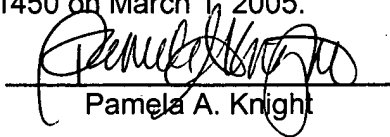
Each of the new independent claims, except claim 97, corresponds to a claim that was objected to in the Office action, re-written in independent form and including all the limitations of the claim(s) from which it depends. Claim 97 corresponds to a *partial* claim 1 plus claim 10, but is neither taught nor suggested by any of the references of record. Accordingly, each of the new independent claims should be allowed. The claims that depend from these new independent claims also should be allowed, at least for the same reasons as the corresponding independent claims.

Applicants believe that this application is now in condition for allowance, in view of the above amendments and remarks. Accordingly, applicants respectfully request that the Examiner issue a Notice of Allowability covering the pending claims. If the

Examiner has any questions, or if a telephone interview would in any way advance prosecution of the application, please contact the undersigned agent of record.

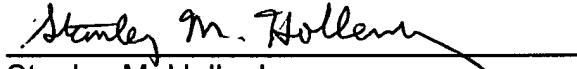
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on March 1, 2005.

  
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Respectfully submitted,

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